

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

QFIX SYSTEMS, LLC and ANHOLT)	
TECHNOLOGIES, INC. d/b/a QFIX,)	
)	
Plaintiffs,)	
)	C.A. No. 23-077 (CJB)
v.)	
)	
KLARITY MEDICAL PRODUCTS, LLC,)	
)	
Defendant.)	

AMENDED JOINT CLAIM CONSTRUCTION CHART

Pursuant to the Scheduling Order, D.I. 21, ¶ 12, and the Court’s March 8, 2024 Order, D.I. 72, Plaintiffs Qfix Systems, LLC and Anholt Technologies, Inc. (collectively, “Qfix”) and Defendant Klarity Medical Products, LLC (“Klarity”) submit the attached Amended Joint Claim Construction Chart containing claim terms and phrases for the Court’s construction from U.S. Patent Nos. 11,364,088 (“’088 Patent”) and 11,771,516 (“’516 Patent”).

I. Agreed-Upon Terms

None.

II. Disputed Terms

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
1	<p>"locks"</p> <p>088: Claims 1-3, 5, 10, 11, 14-16</p> <p>516: Claims 1-3, 5-8, 10-12</p>	<p>No construction necessary; plain and ordinary meaning; not subject to 35 U.S.C. § 112(f).</p> <p>If construction is required, Plaintiffs contend the plain and ordinary meaning of this term is "structures that lock one component relative to another component."</p> <p>Alternatively, to the extent the Court determines this term is subject to 35 U.S.C. § 112(f), Plaintiffs propose the following function and structure:</p>	<p>'088 Patent</p> <p>Col. 2:3-7 Col. 2:16-19 Col. 2:31-33 Col. 2:37-60 Col. 3:22-24 Col. 3:32-34 Col. 5:21-27 Col. 5:51-62 Col. 6:7-14 Col. 7:8-37 Col. 7:55-9:44 Col. 9:52-55 Col. 9:66-10:20 Col. 10:59-11:3 Col. 11:55-12:53 Col. 14:20-38 Col. 14:65-15:25 Col. 16:35-49 Col. 17:16-42 Col. 17:56-18:67 Col. 19:22-27 Claims 1-3, 10, 11, 14, and 15</p>	<p>Means-plus-function term under 35 U.S.C. § 112(f)</p> <p>Function: "releasably attaching the frame to the patient support"</p> <p>Corresponding Structure: "mechanism mounted to the frame that is co-located with, and coupled to, the recited corresponding adjuster, the mechanism including:</p> <ul style="list-style-type: none"> • casing 140 with a through-hole 144 that includes threading • flange 164 on the plunger • Keying feature 166 on the plunger 	<p>088 Patent: Abstract; Figs. 1A-1B, 3B-3C, 4A-4D; 5A-5B, 12; 2:3-7; 2:16-19; 2:31-33; 2:37-60; 7:13-17; 7:28-33; 7:58-60; 7:64-9:44; 9:66-10:7</p> <p>088 Patent Prosecution History: - May 4, 2022 Corrected Notice of Allowability [QFIX-0000014-23]</p> <p>Appl. No. 16/917,232: - Sept. 23, 2021 Amendment [QFIX-0006592-604] - Nov. 15, 2021 Office Action [QFIX-0006504-541] - Feb. 15, 2022 Response to Office</p>

¹ The specifications of the '088 and '516 patents are substantially similar, and references to the '088 specification apply equally to the '516 specification unless otherwise noted.

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
		<p>Function: “locking the immobilization apparatus relative to a patient support”</p> <p>Corresponding Structure: locks having a plunger extending along a plunger axis</p>	<p>FIGS. 1A-1B, 2, 3A-3C, 4A-4E, 5A, 5B, 8, 9, 12, 17, and 18. Abstract</p> <p><u>‘516 Patent</u></p> <p>Col. 3:18-22 Col. 3:28-30 Col. 5:17-23 Col. 5:47-68 Col. 6:10-17 Col. 7:11-41 Col. 7:59-9:50 Col. 9:58-61 Col. 10:5-26 Col. 10:64-11:8 Col. 11:60-12:58 Col. 14:25-43 Col. 15:3-30 Col. 16:38-52 Col. 17:19-45 Col. 17:59-19:3 Col. 19:25-30 Claims 1-3, 6-8, and 10-12 FIGS. 1A-1B, 2, 3A-3C, 4A-4E, 5A, 5B, 8, 9, 17, and 18.</p>	<ul style="list-style-type: none"> • shaft 150 having a through-hole 154 with one or more keying features 155, extensions 156 that extend from lower end of casing 140, and threading 152 sized and pitched to mate with the threading on the interior of casing 140 • plunger 160 having a flange 164 at a lower end thereof and keying features 166 sized to mate with keying features 155 on shaft 150 as shown in Figs. 4A-4C” <p>Alternatively, to the extent the Court determines this term is not subject to 35 U.S.C. § 112(f), Defendant proposes the following construction:</p>	<p>Action [QFIX-0006490-501] - Feb. 28, 2022 Interview Summary [QFIX-0006427-429] - March 15, 2022 Supplemental Amendment [QFIX-0006416-424] - June 20, 2023 Office Action [QFIX-0006210-248]</p> <p><u>Provisional Appl. No. 61/941,542:</u> pp. 1-2, 5-7; Figs. 1-4, 10-11</p> <p><u>Provisional Appl. No. 62/102,358:</u> pp. 1-4, 6-13, 17-19; 29 (Abstract); Figs. 4A-4C, 5A-5B</p>

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			<p><u>Other Intrinsic Evidence</u></p> <p><u>'088 Patent File History.</u></p> <p>-Mar. 30, 2022 Notice of Allowance [QFIX-0000044-54];</p> <p>-May 4, 2022 Notice of Allowance [QFIX-0000013-23];</p> <p>-May 4, 2022 Examiner Interview Summary [QFIX-0000024];</p> <p>-May 9, 2022 Comments on Statement of Reasons for Allowance [QFIX-0000010-11];</p> <p><u>'516 Patent File History.</u></p> <p>Feb. 6, 2023 Non-Final Rejection [QFIX-0003372-384];</p> <p>-Mar. 3, 2023 Examiner Interview Summary [QFIX-0003363-365];</p>	<p>“mechanism mounted to the frame and co-located with the adjuster for attaching the frame to the patient support that includes a casing 140 having a threaded through-hole 144; a plunger 160 having keying features 166, and a flange 164; and a shaft 150 having keying features 155 as shown in Figs. 4A-4C”</p>	

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			<p>-Mar. 15, 2023 Amendment [QFIX-0003345-361];</p> <p>-Mar. 27, 2023 Notice of Allowance [QFIX-0003308-317];</p> <p>May 11, 2023 Comments on Statement of Reasons for Allowance [QFIX-0003293-294];</p> <p><u>'606 Patent File History,</u></p> <p>-June 25, 2019 Non-Final Rejection [QFIX-0001905-919];</p> <p>-Sept. 25, 2019 Amendment [QFIX-0001857-877];</p> <p>-Nov. 5, 2019 Supplemental Amendment [QFIX-0001838-847];</p> <p>June 5, 2020 Amendment [QFIX-0001758-772];</p> <p>U.S. Provisional Application No. 62/102,358;</p>		

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			<p>U.S. Provisional Application No. 61/941,542</p> <p><u>Appl. No. 16/917,232</u></p> <p><u>File History:</u></p> <p>-June 23, 2021 Office Action [QFIX-0006674-713]</p> <p>- Sept. 23, 2021 Amendment [QFIX-0006592-604]</p> <p>- Nov. 15, 2021 Office Action [QFIX-0006504-541]</p> <p>- Feb. 15, 2022 Response to Office Action [QFIX-0006490-501]</p> <p>- Feb. 28, 2022 Interview Summary [QFIX-0006427-429]</p> <p>- March 15, 2022 Supplemental Amendment [QFIX-0006416-424]</p> <p>-June 13, 2023 Office Action [QFIX-0006210-248]</p> <p>-Sept. 13, 2023 Amendment [QFIX-].</p>		

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
2	<p>“adjusters”</p> <p>088: Claims 1, 2, 4, 10, 11, 14-16</p> <p>516: Claims 1, 2, 4, 7, 9, 11, 12</p>	<p>No construction necessary; plain and ordinary meaning; not subject to 35 U.S.C. § 112(f)</p> <p>If construction is required, Plaintiffs contend the plain and ordinary meaning of this term is “structures that adjust the position of one component relative to another component”</p> <p>Alternatively, to the extent the Court determines this term is subject to 35 U.S.C. § 112(f), Plaintiffs propose the following function and structure:</p> <p>Function: “selectively adjusting the distance between the frame and the patient support along</p>	<p>‘088 Patent</p> <p>Col. 2:6-11 Col. 2:19-24 Col. 2:34-36 Col. 2:46-52 Col. 2:58-60 Col. 3:22-34 Col. 3:50-4:8 Col. 4:20-46 Col.5:8-27 Col. 5:51-62 Col. 7:8-54 Col. 7:64-8:12 Col. 9:45-10:20 Col. 10:36-11:3 Col. 11:32-54 Col. 11:55-12:26 Col. 14:20-45 Col. 14:65-15:25 Col. 16:35-64 Col. 17:16-42 Col. 17:48-18:17 Col. 18:52-56 Col. 18:57-19:27 Claims 1, 2, 4, 5, 10-12, and 14-16 FIGS. 1A-1B, 2, 3A-3C, 4A-4E, 5A, 5B, 6-9, 12, 17, 18, and 20-25B Abstract.</p>	<p>Means-plus-function term under 35 U.S.C. § 112(f)</p> <p>Function: “selectively adjusting the distance between the frame and the patient support by rotation of the plunger, while the frame is attached to the patient support”</p> <p>Corresponding Structure: “mechanism coupled to the frame or the patient support and co-located with the recited lock, the mechanism including:</p> <ul style="list-style-type: none"> • casing 140 • shaft 150 • plunger 160 • flange 158 • knob 162 • keying features 166 • keying features 155 • threading 152 • threaded through-hole 144 	<p>088 Patent: Abstract; Figs. 4A-4D, 5A-5B, 12; 2:6-11; 2:19-24; 2:34-36; 2:46-52; 2:58-60; 4:20-46; 7:38-41; 7:64-8:65; 9:45-10:20; 10:36-63; 11:33-54; 14:20-38; 14:65-15:18; 18:52-56</p> <p>516 Patent Prosecution History: - March 27, 2023 Notice of Allowability [QFIX-0003312-315]</p> <p>606 Patent Prosecution History: - Sept. 25, 2019 Response to Office Action [QFIX-0001857-877] - Oct. 28, 2019 Email to Examiner [QFIX-0001852-854] - Oct. 30, 2019 Interview Summary [QFIX-0001849-854] - Nov. 5, 2019 Supplemental</p>

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
		<p>the plunger axis of the corresponding one of the separate locks”</p> <p>Corresponding Structure: adjusters (including shims, adjustable shims, variable shims, sliders, wedges, ramps, wheels, cams) configured to be associated with a corresponding one of the separate locks and being further configured to extend about the plunger axis of the corresponding one of the separate locks</p>	<p><u>‘516 Patent</u> Col. 3:18-30 Col. 3:46-4:4 Col. 4:16-42 Col. 5:4-23 Col. 5:47-58 Col. 7:11-58 Col. 8:1-17 Col. 9:51-10:26 Col. 10:41-11:8 Col. 11:37-54 Col. 11:60-12:31 Col. 14:25-50 Col.15:11-30 Col. 16:38-67 Col. 17:19-45 Col. 17:51-18:20 Col. 18:60-19:30 Claims 1, 2, 4, 5, 7, and 9-12 FIGS. 1A-1B, 2, 3A-3C, 4A-4E, 5A, 5B, 6-9, 17, 18, and 20-25B.</p> <p><u>Other Intrinsic Evidence</u> <u>‘088 Patent File History</u></p>	<p>as shown in Figs. 4A-4C; adjusters do not include the use of loose and/or separate shims”</p> <p>Alternatively, to the extent the Court determines this term is not subject to 35 U.S.C. § 112(f), Defendant proposes the following construction:</p> <p>“mechanism mounted to the frame and co-located with the lock to selectively adjust the distance between the frame and the patient support while the frame is attached to the patient support, the mechanism provided by the interaction between the plunger 160, the knob 162, the keying features 166, the threading 152, the threaded through-hole 144, and the keying features 155 as shown in Figs. 4A-4C; adjusters</p>	<p>Amendment [QFIX-0001838-847]</p> <p><u>913 Patent Prosecution History:</u> - Apr. 1, 2022 Notice of Allowance [QFIX-0000337-342] - Apr. 28, 2021 Response to Office Action [QFIX-0000555-571] - June 10, 2020 Response to Office Action [QFIX-0000628-648] - Dec. 12, 2019 Office Action [QFIX-0000665-681]</p> <p><u>Provisional Appl. No. 61/941,542:</u> pp. 1-2, 5-6; Figs. 1-4, 10-11</p> <p><u>Provisional Appl. No. 62/102,358:</u> pp. 1-4, 6-13, 17-19; 29 (Abstract); Figs. 4A-4C, 5A-5B</p>

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			<p>Mar. 30, 2022 Notice of Allowance [QFIX-0000044-54];</p> <p>-May 4, 2022 Notice of Allowance [QFIX-0000013-23];</p> <p>-May 4, 2022 Examiner Interview Summary [QFIX-0000024];</p> <p>May 9, 2022 Comments on Statement of Reasons for Allowance [QFIX-0000010-11];</p> <p><u>'516 Patent File History</u></p> <p>-Feb. 6, 2023 Non-Final Rejection [QFIX-0003372-384];</p> <p>-Mar. 3, 2023 Examiner Interview Summary [QFIX-0003363-365];</p> <p>-Mar. 15, 2023 Amendment[QFIX-0003345-361];</p> <p>-Mar. 27, 2023 Notice of Allowance [QFIX-0003308-317];</p>	do not include the use of separate or loose shims"	<p><u>606 Patent Prosecution History:</u></p> <p>- June 25, 2019 Office Action [QFIX-0001905-1919]</p> <p>- Sept. 25, 2019 Response and Amendment to Office Action [QFIX-0001857-877]</p> <p>- Apr. 21, 2021 Notice of Allowance [QFIX-0001516-522]</p>

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			<p>-May 11, 2023 Comments on Statement of Reasons for Allowance [QFIX-0003293-294];</p> <p><u>'606 Patent File History</u></p> <p>June 25, 2019 Non-Final Rejection [QFIX-0001905-919];</p> <p>Sept. 25, 2019 Amendment [QFIX-0001857-877];</p> <p>- Oct. 28, 2019 Email to Examiner [QFIX-0001852-854]</p> <p>- Oct. 30, 2019 Interview Summary [QFIX-0001849-854]</p> <p>-Nov. 5, 2019 Supplemental Amendment [QFIX-0001838-847];</p> <p>-June 5, 2020 Amendment [QFIX-0001758-772]</p> <p>- Apr. 21, 2021 Notice of Allowance [QFIX-0001516-522];</p>		

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			<p>U.S. Provisional Application No. 62/102,358; U.S. Provisional Application No. 61/941,542</p> <p><u>'913 Patent Prosecution History:</u></p> <p>- June 28, 2022 Comments on Statements of Reasons for Allowance [QFIX-0000319-320]</p> <p>- Apr. 1, 2022 Notice of Allowance [QFIX-0000337-342]</p> <p>- Apr. 28, 2021 Response to Office Action [QFIX-0000555-571]</p> <p>- Oct. 28, 2020 Office Action [QFIX-00573-598]</p> <p>- June 10, 2020 Response to Office Action [QFIX-0000628-648]</p> <p>- Dec. 12, 2019 Office Action [QFIX-0000665-681].</p>		

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
3	<p>“the separate adjusters being separate from one another such that [the/a] distance between the frame and the patient support along the plunger axis of the corresponding one of the separate locks is adjustable independent of [the/a] distance between the frame and the patient support along the plunger axis of another one of the separate locks”</p> <p>088: Claims 1, 11</p> <p>516: Claim 1</p>	<p>No construction necessary; plain and ordinary meaning.</p> <p>If construction is required, Plaintiffs contend the plain and ordinary meaning of this phrase is “the distance can be adjusted by an adjuster at one lock without requiring adjustment by an adjuster at another lock”</p>	<p><u>‘088 Patent</u> Col. 4:20-46 Col. 5:8-27 Col. 5:51-62 Col. 7:28-47 Col. 9:45-10:20 Col. 10:49-11:3 Col. 11:55-12:6 Col. 14:20-38 Col. 15:6-25 Col. 16:35-64 Claims 1, 10, 11, 14-16 FIGS. 1A-1B, 2, 3A-3C, 4A-4E, 5A, 5B, 17, 18, and 20-25B</p> <p><u>‘516 Patent</u> Col. 4:16-42 Col. 5:4-23 Col. 5:47-58 Col. 7:32-51 Col. 9:51-10:26 Col. 10:54-11:8 Col. 11:60-12:11 Col. 14:25-43 Col. 15:11-29 Col. 16:38-67 Claims 1, 11, and 12</p>	<p>“the distance between the frame and patient support at any one adjuster co-located with a corresponding lock can be adjusted without affecting or adjusting the distance between the frame and the patient support at any other lock”</p>	<p><u>088 Patent:</u> Figs. 5A-5B; 5:60-62; 16:35-48</p> <p><u>913 Patent Prosecution History:</u> - June 10, 2020 Response to Office Action [QFIX-0000628-648] - Apr. 28, 2021 Response to Final Office Action [QFIX-0000555-571] - Apr. 1, 2022 Notice of Allowance [QFIX-0000337-342]</p>

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
	<p>“the separate adjusters being separate from one another such that the distance between one of the at least two separate frame portions of the split frame of the immobilization apparatus and the patient support at one of the separate locks is adjustable independent of the distance between the one of the at least two separate frame portions and the patient support at another one of the separate locks.”</p>		<p>FIGS. 1A-1B, 2, 3A-3C, 4A-4E, 5A, 5B, 17, 18, and 20-25B</p> <p><u>Other Intrinsic Evidence</u> <u>'088 Patent File History</u> Mar. 30, 2022 Notice of Allowance [QFIX-0000044-54]; -May 4, 2022 Notice of Allowance [QFIX-0000013-23]; -May 4, 2022 Examiner Interview Summary [QFIX-0000024]; -May 9, 2022 Comments on Statement of Reasons for Allowance [QFIX-0000010-11];</p> <p><u>'516 Patent File History</u> Mar. 27, 2023 Notice of Allowance [QFIX-0003308-17]; -May 11, 2023 Comments on</p>		

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
	<p>088: Claims 10, 14</p> <p>“the distance between the frame and the patient support along the plunger [or pin] axis of the corresponding one of the separate locks is adjustable independent of [the/a] distance between the frame and the patient support along the plunger [or pin] axis of another one of the separate locks”</p> <p>088: Claim 15</p> <p>516: Claims 11, 12</p>		<p>Statement of Reasons for Allowance [QFIX-0003293-94;</p> <p>U.S. Provisional Application No. 62/102,358;</p> <p>U.S. Provisional Application No. 61/941,542;</p> <p><u>913 Patent Prosecution History:</u></p> <p>- Dec. 12, 2019 Office Action [QFIX-0000665-681]</p> <p>- June 10, 2020 Response to Office Action [QFIX-0000628-648]</p> <p>- Oct. 28, 2020 Office Action [QFIX-0000573-598]</p> <p>- Apr. 28, 2021 Response to Final Office Action [QFIX-0000555-571]</p> <p>- Apr. 1, 2022 Notice of Allowance [QFIX-0000337-342]</p>		

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
	<p>“the distance between the frame and the patient support at the plunger or pin axis of the one of the separate locks is adjusted independent of the distance between the frame and the patient support at the plunger axis of the another one of the separate locks”</p> <p>088: Claim 16</p>		<p>- June 28, 2022 Comments on Statements of Reasons for Allowance [QFIX-0000319-320].</p>		
4	<p>“separate adjusters each configured to be associated with a corresponding one of the separate locks”</p>	<p>No construction necessary; plain and ordinary meaning.</p> <p>If construction is required, Plaintiffs contend the plain and ordinary meaning of this phrase is</p>	<p><u>‘088 Patent</u> Col. 3:22-34 Col. 4:20-46 Col.5:8-27 Col. 7:8-54 Col. 7:64-8:19 Col. 8:30-44 Col. 8:58-65 Col. 9:45-10:20</p>	<p>“each adjuster is co-located with a corresponding lock and configured to adjust the distance between the frame and patient support at the corresponding lock only”</p>	<p><u>088 Patent:</u> Figs. 3B-3C, 5A-5B; 7:64-8:2; 7:28-35; 8:58-65; 10:59-67</p>

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
	088: Claims 1, 2, 11 516: Claims 1, 2, 7, 12 "separate adjuster associated with the corresponding one of the separate locks" 088: Claim 15	"separate adjusters each configured to be associated with a selected compatible lock"	Col. 10:59-11:3 Col. 11:55-12:26 Col. 16:35-48 Claims 1, 2, 5, 11, 15, and 16 FIGS. 1A-1B, 2, 3A-3C, 4A-4E, 5A, 5B, 17, 18, and 20-25B <u>'516 Patent</u> Col. 3:18-30 Col. 4:16-42 Col.5:4-23 Col. 7:11-58 Col. 8:1-24 Col. 8:35-49 Col. 9:51-10:26 Col. 10:64-11:8 Col. 11:60-12:31 Col. 16:38-51 Claims 1, 2, 7, 11, and 12 FIGS. 1A-1B, 2, 3A-3C, 4A-4E, 5A, 5B, 17, 18, and 20-25B <u>Other Intrinsic Evidence</u> <u>'088 Patent File History</u>		

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			<p>Mar. 30, 2022 Notice of Allowance [QFIX-0000044-54];</p> <p>-May 4, 2022 Notice of Allowance [QFIX-0000013-23];</p> <p>-May 4, 2022 Examiner Interview Summary [QFIX-0000024];</p> <p>-May 9, 2022 Comments on Statement of Reasons for Allowance [QFIX-0000010-11];</p> <p><u>'516 Patent File History</u></p> <p>Mar. 27, 2023 Notice of Allowance [QFIX-0003308-17];</p> <p>-May 11, 2023 Comments on Statement of Reasons for Allowance [QFIX-0003293-94];</p> <p>U.S. Provisional Application No. 62/102,358;</p>		

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			U.S. Provisional Application No. 61/941,542.		
5	<p>“plunger”</p> <p>088: Claims 1, 11, 15</p> <p>516: Claims 1, 11, 12</p>	<p>No construction necessary; plain and ordinary meaning.</p> <p>If construction is required, Plaintiffs contend the plain and ordinary meaning of this term is “an axially-extending element that is at least partially movable into something by a pressing or sliding motion.”</p>	<p><u>‘088 Patent</u> Col. 7:64-8:2 Col. 8:30-57 Col. 8:66-9:44 Col. 9:66-10:20 Col. 12:7-26 Claims 1, 2, 5, 11, 15, 16 FIGS. 4A-4E, 8</p> <p><u>‘516 Patent</u> Col. 8:1-6 Col. 8:35-62 Col. 9:4-50 Col. 10:5-26 Col. 12:12-31 Claims 1, 2, 5, 7, and 10-12 FIGS. 4A-4E, 8</p> <p><u>Other Intrinsic Evidence</u> U.S. Provisional Application No. 62/102,358;</p>	<p>“a pin-like structure that includes a flange 164 at its lower end to engage extensions 156 and one or more keying features 166 sized to mate with the keying features 155 on the shaft 150 as shown in Fig. 4C”</p>	<p><u>088 Patent:</u> Figs. 4A-4C; 7:64-8:1; 8:30-35; 8:45-57</p>

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			U.S. Provisional Application No. 61/941,542.		
6	<p>“coupled to”</p> <p>088: Claims 1, 3, 10, 11, 14</p> <p>516: Claims 1, 3, 8, 12</p>	<p>No construction necessary; plain and ordinary meaning.</p> <p>If construction is required, Plaintiffs contend the plain and ordinary meaning of this phrase is “directly or indirectly attached or joined to.”</p>	<p><u>‘088 Patent</u> Col. 1:63-2:60 Col. 3:55-59 Col. 5:25-27 Col. 5:51-62 Col. 6:51-55 Col. 6:65-67 Col. 7:38-47 Col. 10:38-39 Col. 10:59-11:3 Col. 11:8-18 Col. 12:7-26 Col. 13:10-22 Col. 14:20-45 Col. 19:22-27 Claims 1, 3, 10, 11, and 14 FIGS. 3A-3C and 18</p> <p><u>‘516 Patent</u> Col. 1:59-2:56 Col. 3:51-55 Col. 5:47-58 Col. 6:54-58 Col. 7:42-51 Col. 10:64-11:8 Col. 11:13-23</p>	<p>“permanently or releasably attached to”</p>	<p><u>088 Patent:</u> 5:25-27; 5:52-62; 6:65-67; 7:38-47; 10:38-39; 10:59-67</p>

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			Col. 12:12-31 Col. 13:15-27 Col. 14:25-50 Col. 19:25-30 Claims 1, 3, 8, and 12 FIGS. 3A-3C and 18 <u>Other Intrinsic Evidence</u> U.S. Provisional Application No. 62/102,358; U.S. Provisional Application No. 61/941,542.		
7	“frame” 088: Claims 1-3, 7, 10, 11, 14-16 516: Claims 1-3, 5-8, 10-12	No construction necessary; plain and ordinary meaning. If construction is required, Plaintiffs contend the plain and ordinary meaning of this term is “a surrounding or bordering structure.”	<u>‘088 Patent</u> Col. 2:29-31 Col 3:12-15 Col. 3:25-28 Col. 3:50-59 Col. 5:38-6:14 Col. 6:51-7:37 Col. 9:25-10:21 Col. 10:36-58 Col. 11:55-12:33 Col. 14:46-64 Col. 15:40-16:18 Col. 16:65-17:42 Claims 1-3, 7, 10-12, and 14-16	“a rigid structure shaped to correspond to the portion of the patient’s anatomy to be immobilized and attached to the patient support via locks; the frame constructed from a material with a higher melting temperature than the preform”	<u>088 Patent:</u> Figs. 3A-3C, 15, 16; 2:29-31; 6:56-64

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			<p>FIGS. 1A-1C, 3A-3C, 5A, 5B, 13, and 15-18.</p> <p><u>'516 Patent</u> Col 3:8-11 Col. 3:21-24 Col. 3:46-55 Col. 5:34-58 Col. 5:66-6:17 Col. 6:54-7:41 Col. 9:31-10:26 Col. 10:41-64 Col. 11:60-12:39 Col. 14:51-15:2 Col. 15:43-16:21 Col. 17:1-45 Claims 1-3, 6-8, and 10-12 FIGS. 1A-1C, 3A-3C, 5A, 5B, 13, and 15-18.</p> <p><u>Other Intrinsic Evidence</u> U.S. Provisional Application No. 62/102,358; U.S. Provisional Application No. 61/941,542.</p>		

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
8	<p>“patient support”</p> <p>088: Claims 1, 2, 6, 7, 10, 11, 14-16</p> <p>516: Claims 1, 2, 6, 7, 11, 12</p>	Not indefinite; plain and ordinary meaning: “a structure that provides support to a patient”	<p><u>‘088 Patent</u> Col. 5:51-62 Col. 6:65-7:27 Col. 10:49-11:3 Col. 12:34-13:9 Col. 13:23-14:19 Col. 14:20-38 Col. 15:55-16:3 Col. 16:4-18 Col. 17:16-42 Col 17:56-67 Claims 1, 2, 6-8, 10-12, and 14-16 FIGS. 1A-1B, 2, 3A, 10, 14, 17, 18, and 20-25B</p> <p><u>‘516 Patent</u> Col. 5:47-58 Col. 7:1-31 Col. 10:54-11:8 Col. 12:39-13:14 Col. 13:28-14:24 Col. 14:25-43 Col. 15:58-16:6 Col. 17:19-45 Col 17:59-8:3 Claims 1, 2, 6, 7, 11, and 12 FIGS. 1A-1B, 3A, 10, 14, 17, 18, and 20-25B</p>	Indefinite under 35 U.S.C. § 112	<p><u>088 Patent:</u> Figs. 2, 10; 6:65-7:7; 12:54-13:9; 16:4-18</p>

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			<u>Other Intrinsic Evidence</u> U.S. Provisional Application No. 62/102,358; U.S. Provisional Application No. 61/941,542.		
9	"adjuster axis" 088: Claims 4, 5 516: Claims 4, 5, 9, 10	Not indefinite; plain and ordinary meaning: "the axis about which the adjuster rotates"	<u>'088 Patent</u> Col. 7:28-54 Col. 8:20-44 Col. 8:66-9:24 Col. 9:45-65 Col. 10:21-48 Col. 11:8-48 Claims 4 and 5 FIGS. 4A-4C <u>'516 Patent</u> Col. 7:32-58 Col. 8:25-49 Col. 9:4-30 Col. 9:51-10:4 Col. 10:27-54 Col. 11:13-53 Claims 4, 5, 9, and 10 FIGS. 4A-4C	Indefinite under 35 U.S.C. § 112	

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
			<p><u>Other Intrinsic Evidence</u> U.S. Provisional Application No. 62/102,358; U.S. Provisional Application No. 61/941,542.</p>		

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March 15, 2024

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